

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRUSTEES OF THE NATIONAL ELEVATOR	:	
INDUSTRY PENSION FUND, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	Case No. 2:20-cv-02449-ER
	:	
v.	:	
	:	
CALIBER ELEVATOR CORPORATION, <i>et al.</i>	:	
	:	
Defendants.	:	

NOTICE OF VOLUNTARY DISMISSAL

The Plaintiffs, by and through undersigned counsel, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby dismiss the Complaint, with prejudice, as to Defendants Caliber Elevator Corporation, Jeffrey Fierro, and Peter Angelo Fierro, and state the reasons for dismissal as follows:

1. This action was commenced by the Plaintiffs to recover delinquent contributions and damages owed to employee benefit plans. ([Docket No. 1](#)).
2. The Defendants have satisfied the monetary amount sought by the Plaintiffs in this matter, rendering any further pursuit of this lawsuit moot.
3. The opposing parties have neither served an answer nor a motion for summary judgment.

Respectfully submitted,

Dated: August 6, 2020

s/ Andrew Kelser
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